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7 **UNITED STATES BANKRUPTCY COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**
10

11 **Ricky-Dean Horton, a living man,**
12 **Claimant**

13 vs.

14
15 **PG&E CORPORATION,**
16 **- and -**
17 **PACIFIC GAS AND ELECTRIC**
18 **COMPANY;**
19 **Debtors.**

20 Affects Both Debtors

21 ** All papers shall be filed in the Lead*
22 *Case, No. 19-30088 (DM)*

PG&E Bankruptcy Case No.: 19-30088 (DM)
Chapter 11, Lead Case, Jointly Administered;

Re: Claim No. 87111, Electrocution to the Death of
Claimant's Brother, Rory-Nelson Horton;

Motion to Strike Declaration of A. Anna Capelle
(Dkt 10809)
and
Motion to Strike Declaration of Stacy Campos (Dkt
10810)

REMINDER OF HEARING DATE SET FOR:
10:00am October 19, 2021

23
24 **THIS DOCUMENT FILING IS IN ADDITION TO Claimant's Filing of Docket 11074 dated**
25 **August 18, 2021, Docket 11245 dated September 13, 2021 and all other related filings Re Claim No.**
26 **87111;**

27 **AND;**
28

1 **Motioning to STRIKE Declaration by A. Anna Capelle (Dkt 10809) and Motioning to STRIKE**
2 **Declaration by Stacy Campos (Dkt 10810) of which both Declarations are in support of**
3 **REORGANIZED DEBTORS' NINETY-THIRD OMNIBUS OBJECTION TO CLAIMS (NO LEGAL**
4 **LIABILITY CLAIMS) found within Dkt. 10808;**

5
6 **AND;**

7 **ANY Additional Objections, Clarifications, and/or other matter of dispute are hereby reserved to**
8 **be made at the Hearing set for 10:00am October 19, 2021 in Re: Dkt. Nos. 10808, 10809, 10810,**
9 **10960, 10980, 11074, 11135, 11154, 11174, 11240, 11245, 11251 et al. if not listed herein;**

10
11 **JURISDICTION**

12 This **UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION** has jurisdiction over this matter and shall retain jurisdiction to
14 resolve any disputes or controversies arising from any of the court's orders. *28 U.S.C. §§ 157*

15
16 **Fundamental self-evident truths, facts and assertion of Rights:**

17 **1.** People are born upon this world of life and creation and are living, breathing people because of
18 creation. Therefore, it is known as a self-evident truth and fact that the living people are gifted by
19 creation with fundamental natural and inherent rights.

20 **2.** As a fact found within **EXHIBIT 1 on sealed docket 11074**, Ricky-Dean Horton is a man found
21 to be living and is one of the people of California. (Hereinafter Claimant, or I, or me, or any other
22 identifier to me, the living man, Ricky-Dean Horton).

23 **3.** Claimant did file his Claim into this **UNITED STATES BANKRUPTCY COURT**
24 **NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION** on or before October
25 21, 2019 with the understanding that this is a **federal court**, is a **court of record**, is bound to and
26 proceeds according to the **Laws of the Land and the laws of nature (aka common law)**, and is
27 mostly governed by the **Federal Rules of Civil Procedure (FRCivP)**. **No rights are waived or in**
28 **any way conceded that would diminish the inherent, unalienable, substantive, natural or any**
rights whatsoever of Ricky-Dean Horton, a living man.

1 **4. The Judges and/or Magistrates in this UNITED STATES BANKRUPTCY COURT**, as
2 bound by their oaths of office, are qualified to preside over these bankruptcy proceedings. The Judges
3 and/or Magistrates in this **Federal Bankruptcy Court** have, at a minimum, taken the Oath of Office
4 to protect and defend the federal Constitution. Both federal and state Constitutions are ordained and
5 established by the people to protect the inherent, unalienable and natural rights of the living people
6 upon the natural world of Creation. Governments, government agencies and employees thereof are
7 entrusted with limited duties, responsibilities and authority. **People who take the oath of office**
8 **should recognize and maintain**, to the best of their ability, **the separation of the realm of the**
9 **natural world** and the people found to be living upon it, **and the realm of the commercial world** of
10 codes, statutes, and other man-made laws that regulate such commerce.

11 **5. Claimant is not an attorney** nor is Claimant represented by an attorney. Claimant understands
12 that he is allowed leeway as a **living man** in a court that is conducted mostly of codes, statutes and
13 other man-made rules that are foreign to natural law.

14 **PLEASE TAKE NOTICE OF THIS REMINDER**

15 that the **UNITED STATES BANKRUPTCY COURT, NORTHERN DISTRICT OF**
16 **CALIFORNIA, SAN FRANCISCO DIVISION**, will hold a hearing on **October 19, 2021, at 10:00**
17 **a.m. (Pacific Time)** to hear any opposition, support, or other witness testimony re Claimant's
18 INTENT TO REVERSE The Order Expunging and Disallowing Claim Number 87111 [Re: Dkt. No.
19 10980] **Filed with SEALED Docket 11074 dated August 18, 2021, and all related filings and**
20 **responses thereto,**

21 **AND**

22 to hear any opposition, support, or other witness testimony to **THIS ADDITIONAL MOTION** by
23 Claimant to STRIKE the Declaration by **A. Anna Capelle (Dkt 10809)** and **THIS ADDITIONAL**
24 **MOTION to STRIKE Declaration by Stacy Campos (Dkt 10810)** of which both Declarations are
25 **in support of REORGANIZED DEBTORS' NINETY-THIRD OMNIBUS OBJECTION TO**
26 **CLAIMS (NO LEGAL LIABILITY CLAIMS) found within Dkt. 10808**

27 **CAUSE OF ACTION**

28 1. As found in Claimant's Civil Action filed with PG&E Claims Department on August 25, 2018,
and carried over into this PG&E Bankruptcy Case No. 19-3088/19-30089 as Claim No. 87111, Rory

1 Nelson Horton, Claimant's living, natural, biological brother was electrocuted to his death by an
2 overhead energized power conductor owned by Pacific Gas and Electric Company. Full details of the
3 findings in regards to Rory-Nelson's electrocution to his death is found within Claim No. 87111.

4 2. Debtors filed a Motion Found within Dkt No. 10808 seeking to disallow and expunge
5 Claimant's Claim No. 87111 for the reason that Claimant's Claim of "Personal Injury" was not filed
6 within the Statutory Deadline of two years.

7 3. Debtors filed an E-Order on July 22, 2021 as found within Dkt 10980 to disallow and
8 Expunge Claimant's Claim No. 87111 since Claimant did not respond by the deadline of July 14, 2021
9 as originally scheduled within Dkt 10808.

10 4. Claimant, upon recognizing his mistake, inadvertence, surprise, or excusable neglect filed a
11 timely Motion to reverse the E-Order found within Dkt 10980 by his filing of Dkt 11074 dated August
12 18, 2021. Information within Claimant's Dkt 11074 alleged that the order within Dkt 10980 was illegal,
13 unlawful, without Merit, and among other key findings within Dkt 11074. Dkt 11074 was filed under
14 seal to protect personal information, Claimant's claim to his life and estate as a living man which
15 recognized him as outside the jurisdiction of commercial law, among other serious claims and
16 allegations against Debtors and their liability regarding the electrocution to the death of Rory-Nelson
17 Horton.

18 5. Several responses were filed by Debtors and Claimant as found within Dkts 11135, 11154,
19 11174, 11240, 11245, 11251 (et al). The date of HEARING set for 10:00 am on October 19, 2021 as
20 Scheduled within Dkts 11174, 11183, and 11251 is consistent with the Federal Bankruptcy Court
21 and Judge Montali's Open Calendar Procedures. Claimant has not waived in his right to utilize
22 the Federal Bankruptcy Court to address the Controversies of the court's orders regarding
23 Claimant's Claim No. 87111, and among other issues to be addressed at the hearing.

24 **ADDITIONAL MOTIONS TO BE HEARD:**

25 **Among any other issues reserved to be heard at the hearing scheduled for 10:00am on October 19,**
26 **2021, Claimant is making these additional Motions to STRIKE the Declaration of A. Anna Capelle**
27 **found within Dkt no. 10809, and the Declaration of Stacy Campos found within Dkt 10810, of**
28 **which both Declarations are in support of REORGANIZED DEBTORS' NINETY-THIRD**
OMNIBUS OBJECTION TO CLAIMS (NO LEGAL LIABILITY CLAIMS) found within Dkt. 10808.

1
2 As found within Dkt 10809 on P2 lines 8-9, A. Anna Capelle is recognized as currently being
3 employed as an Attorney for PG&E and has been since October 2006. Although it appears that A. Anna
4 Capelle has been responsible in various roles within PG&E, she is nonetheless Council to Debtors.

5
6 As found within Dkt 10810 on P2 line 4, Stacy Campos, among other roles, is recognized as
7 Managing Council in the Law Department of PG&E Corporation. Stacy Campos is recognized as
8 Council to Debtors.

9 **There is a serious conflict of interest** in allowing Council of Debtors to file a declaration into
10 the records in support of their Employer's and/or Debtor's Omnibus Objection as found **in Debtor's**
11 **REORGANIZED DEBTORS' NINETY-THIRD OMNIBUS OBJECTION TO CLAIMS (NO LEGAL**
12 **LIABILITY CLAIMS) found within Dkt. 10808.**

13
14 **The conflict of interest is so blatantly obvious and egregious as to having Council of any**
15 **side, whether Plaintiff, Defendant, Claimant, Debtors or any other Council to a party, to enter a**
16 **statement or declaration be used in any capacity in support of, or objection to, any Motion or**
17 **other court filings. There have been Supreme Court Rulings that quickly dismissed the Motions**
18 **that were supported by Council Statements and Declarations in support of Motion, objections, or**
19 **other court filings or actions.**

20 **Among several Supreme Court Decisions, The Supreme Court makes it cleat that legal**
21 **argument alone cannot establish facts necessary to support a successful motion for summary judgment**
22 **which must be done by affidavit or depositions because legal argument does not constitute facts and is**
23 **insufficient for purposes of granting a motion to dismiss or for summary Judgment. *Trinsey v. Pagliaro*,**
24 **229 F. Supp. 647 (E.D. Pa. 1964).**

25 **THEREFORE, this Motion to STRIKE the Declaration by A. Anna Capelle found within Dkt 10809,**
26 **and this Motion to STRIKE the Declaration by Stacy Campos found within Dkt 10810, should be**
27 **granted.**
28

1 Upon Striking the aforementioned Declarations by A. Anna Capelle and Stacy Campos,
2 Claimant is adding this filing into the records of Claimant's Claim No. 87111, to add additional support
3 to his motion found within Dkt 11074 wherein Claimant is motioning to reverse the E-Order found
4 within Dkt No. 10980 which is attempting to Disallow and Expunge Claimant's Claim No. 87111 for the
5 reason that Claimant did not file a claim of "Personally Injury" within the Statutory Deadline of two
6 years from the date of the Electrocution to the Death of His brother Rory Nelson Horton.

7 **DUE PROCESS SHALL BE PRESERVED AND UPHELD**

8 Responses and other filings shall continue to be accepted in regards to the matters and
9 issues regarding Claimant's motion for Reconsideration and intent to reverse the Order made on Dkt No.
10 10980 as described and found in Claimant's Filing within Dkt 11074, INCLUDING any and all filings
11 related to Claimant's Claim No. 87111, up to the **Response Deadline Date of 4:00pm on October 5,**
12 **2021.**

13 Both Claimant AND Debtors shall be afforded the opportunity to address the issues within any
14 filings at the hearing at 10:00am on October 19, 2021.

15 **Reservation of Rights**

16 It is known that Codes, Statutes, Rules and other man-made laws are **directed at Government**
17 **agencies, courts, commercial activity, corporations, and others not proved to be living**, and such
18 rules and man-made laws are foreign to Claimant, the laws of the land, and the laws of nature.

19 **As found in Claimant's Sealed Dkt No. 11074, Claimant is a man proven to be living**, has
20 made claim to his estate and his certificate of live birth (title), and is under the Supreme Law of the land
21 and the laws of nature. **Claimant DOES NOT CONSENT** to any Order, Commercial Law, Code,
22 Statute, Rule or other legislation or man-made law or Order that would diminish, nullify, or attempt to
23 take away any rights of Claimant.

24 As stated within Claimant's Civil Action filed with PG&E on August 25, 2018, and subsequently
25 carried over into this Claim No. 87111 of PG&E Case No. 19-30088 and 19-30089, and other related
26 filings thereof, **Claimant is seeking a remedy under the law** in this **UNITED STATES**
27 **BANKRUPTCY COURT** for the unsafe conditions and/or the violations of the law, and among other
28 reasons, that resulted in the electrocution to the death of Claimant's brother Rory-Nelson Horton.

1 **DECLARATION**

2 I, Ricky-Dean Horton, Claimant, and Rory's living natural brother, declare under penalty of
3 perjury under the Supreme Law of the land, and in accordance with the natural laws of The United
4 States of America and in accordance with the natural laws of California, that, to the best of my
5 knowledge and understanding, the foregoing information is true and correct.

6 Signed and Sealed this 5th day of October, 2021 AD

8 *Ricky-Dean Horton*

9 Ricky-Dean Horton, a Living man, Californian,
10 Claimant



14 SEAL